



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1315 W. 4th Avenue • Kennewick, Washington 99336-6018 • (509) 735-7581

March 25, 1997

Mr. Jackson Kinzer
U.S. Department of Energy
P.O. Box 550, MSIN: S7-50
Richland, WA 99352

Mr. Paul Kruger
U.S. Department of Energy
P.O. Box 550, MSIN: A5-54
Richland, WA 99352



Dear Messrs. Kinzer and Kruger:

Re: Tri-Party Agreement Milestone M-40-07, 'Commence Operation of a Vapor Treatment System in Tank 241-C-103'

The Washington State Department of Ecology (Ecology) has evaluated the current status of the Vapor Treatment System which was installed, but not operated, in Tank 241-C-103. Ecology has determined that the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement or TPA) Milestone M-40-07 has not been met. The U.S. Department of Energy (USDOE) installed the system and notified Ecology on June 29, 1995, that Milestone M-40-07 had been met. However, the Vapor Treatment System failed to pass the Operational Testing Procedures necessary to enable the system to function fully and meet the requirements of Milestone M-40-07. Furthermore, USDOE has failed to resolve the technical problems associated with the Vapor Treatment System even though there has been a long history of worker complaints concerning Tank 241-C-103 and data from the tank has identified gaseous emissions which warrant action.

As stated earlier, Ecology has determined USDOE has not met the requirements of Milestone M-40-07. In lieu of pursuing formal enforcement opportunities, as delineated in the TPA, Ecology is willing to work with USDOE. To resolve this issue, USDOE must comply with the following:

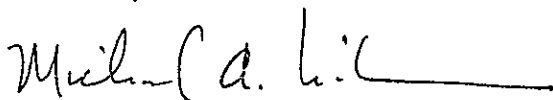
- The design deficiencies of the Vapor Treatment System for Tank 241-C-103 must be identified and evaluated. A report justifying USDOE's failure to rectify this situation must be provided to Ecology within 30 days of receipt of this letter.

Messrs. Kinzer and Kruger
March 25, 1997
Page 2

- The safety concerns associated with vapor emissions from C-103 must be resolved within 30 days of receipt this letter. In addition, any conclusion reached by USDOE concerning these issues must be approved by Ecology.
- Important data was withheld from Ecology in 1995 during the NOC air permitting process as represented in Review Comment Record (RCR) 95-TSD-075. USDOE must resolve the issues raised in the RCR within 90 days of receipt of this letter and communicate those resolutions to Ecology for its concurrence. USDOE must also immediately direct its staff to communicate RCR concerns to Ecology during all future permitting processes.
- The Vapor Treatment System for Tank C-103 was only meant as a temporary measure until removal of the floating organic layer and interim stabilization of the tank can occur. USDOE must provide Ecology with an update of the status of both the Vapor Treatment System and resolution of the disposition of the floating organic layer within 30 days of receipt of this letter. In addition, USDOE must provide a date at which removal of the floating organic layer from C-103 will commence. Ecology will review and must agree with the final disposition of the floating organic layer and the date for initiating its removal.
- USDOE must provide direction to all its project managers that Ecology will not consider milestones to have been met if the actions required by the milestones are not maintained.

Ecology will reserve its enforcement options under the TPA pending a positive resolution of this issue. If you have any questions on this matter, please contact me at (360) 407-7150 or Suzanne Dahl at (509) 736-5705.

Sincerely,



Mike Wilson, Program Manager
Nuclear Waste Program

AS:MW:sb

cc: Carolyn Haass, USDOE
Maureen Hunemuller, USDOE
Dennis Irby, USDOE
James Rasmussen, USDOE
Hector Rodriguez, USDOE
Carol Sohn, USDOE
Donald Farmer, USDOE-HQ

Robert Cash, DESH
Ralph Arcuro, DNFSB
Dick Belsey, HAB
Marilyn Reeves, HAB
Mary Lou Blazek, ODOE
Administrative Record